

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
JANUARY 13, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, January 13, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Absent
Board member Ambrose "Butch" Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. Two of the three board members were present; which was a majority, therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance

Mayor Schmitt said it is encouraging to see so many people in attendance for this meeting and 2009 will be a busy year.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on December 23, 2008. A **motion** was made by Ambrose "Butch" Schitter and seconded by Mayor Schmitt to approve the minutes as published. Motion carried 2-0.

RELEASE AND QUIT CLAIMS DEED

Kenneth Brosmer, Brosmer Land Surveying, requested a release and quit claim deed for a part of Lot #2 of Kimball Kids. Brosmer then showed the board several old plats of the area and explained what happened to part of the land's ownership over the years.

In 1962, an alley was vacated but in 1979 the plat shows the City of Jasper owns a strip of land. When he did a survey a 15 ft by 180 ft strip of land was included in the land description when the land was transferred from Schwenk to Kimball Kids. Brosmer along with Attorney Bill Shaneyfelt said they are trying to clean up the records. Since the City has not used the land, they want a deed from the City to the landowner.

Mayor Schmitt said the intent always was that Kimball Kids was the owner of the property and feels that area goes with that piece of property and it needs to be corrected to reflect what it is today.

City Attorney Sandra Hemmerlein said the state law says if there is a dispute, the executive decides and can do a quit claim deed.

Mayor Schmitt then declared the described property be released and quit claim deeded to PRD Realty LLC and William E. Lehmkuhler Revocable Trust and any other entity that reflects ownership.

NO PARKING FOR ANGEL FOOD MINISTRIES

Cindy Padgett, representing Cavalry Apostolic Church 187 E 11th Street, presented the 2009 Angel Food Ministries food distribution schedule and asked permission to prohibit parking on the south side of east 11th Street for their food delivery and pick up. Padgett said in 2008 the parking was restricted on certain Saturdays from 6:00 a.m. to 12:30 p.m. or 1:00 p.m. She said they do not want to list a time for the restricted parking because it may vary. They will place and remove the no parking cones before and after the food delivery and pick ups are made on the specified Saturdays.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the list of closure dates for no parking on Saturdays until the end of the day when they are all cleared out. Motion carried 2-0.

ENCROACHMENT REQUEST

City Engineer Chad Hurm along with Terry Streicher of Streicher Construction asked permission to encroach on a public utility and drainage easement located on a piece of property that is located along Terry Lane, Jasper Equipment, and Streicher Construction. Streicher wants to install a chain link fence and rip rap along the south and west property line and over an existing public utility and drainage easement in order to clean up the area and keep the general public out. Hurm further stated that the only concern listed on the comment sheets from the department heads said if there is any drainage in that area then they must keep in mind that it has to be maintained.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the request of the encroachment to place a fence on the property described as Lot 2 in Fairway Park 7th Addition subject to signing the encroachment agreement and following the requirements therein. Motion carried 2-0.

ENGINEER REPORTS

Walking path. City Engineer Hurm stated the contractor repaired the items on the punch list. They still have bollard and railing work to do that will be done in warmer weather.

Mill Project. Hurm stated the project is ongoing and that the water is up and against the wall that is along the river.

Mayor Schmitt said the INDOT transportation enhancement grant is for the construction of the Mill building and does not include the cost of the water wheel. He said we are going to request an additional \$150,000.00 in federal aid. Hurm drafted a letter making the request and if it is granted ROJAC will have to provide the matching funds.

ELECTRICAL HOOKUPS

Street Commissioner Raymond Eckerle reported that at the November 25, 2008 meeting he received approval to upgrade certain electrical work for an estimated cost of \$2,962.00 from E

& K Electric. Eckerle said the actual cost is \$2,982.09 which is \$20.09 over the approved amount.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the additional cost of \$20.09 on the pre-approved expenditure to E & K Electric. Motion carried 2-0.

HIRING PROCESS

Street Commissioner Raymond Eckerle asked permission to start the hiring process to replace a laborer at the street department that plans to retire at the end of February 2009. Mayor Schmitt asked who is planning to retire. Eckerle said Wilz.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to allow the Street Commissioner to start the hiring process to replace a retiring employee on the condition he does retire. Motion carried 2-0.

Mayor Schmitt stated that it is the consensus of the citizens that Jerry Wilz did a good job.

AMERICAN PUBLIC WORKS ASSOCIATION SNOW CONFERENCE

Street Commissioner Raymond Eckerle asked permission to attend the annual American Public Works Snow Conference in Des Moines, Iowa on April 26, 27, 28, and 29 from Sunday to Wednesday. Eckerle felt the conference is the best to attend.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to attend the Snow Conference in Des Moines, Iowa. Motion carried 2-0.

MICRO PAVING PROCESS

Street Commissioner Raymond Eckerle reported that Steve Berg from the Dubois County Hwy Department informed him that on January 26, 2009 at 11:00 a.m. during a County Commissioners' meeting, a representative is coming to give a power point presentation on the micro paving process. Eckerle stated that he previously attended a demonstration in Spencer County. Eckerle also said he is not sure at this time that this is what we want to do to extend our paving dollars. He invited the Board members to attend the presentation.

SURPLUS EQUIPMENT

Fire Chief Kenneth Hochgesang asked for permission to declare the lap top computer that crashed and is not repairable as surplus and allow it to be junked. The asset number is 101502.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to remove lap top computer asset number 101502 from the asset list and destroy it. Motion carried 2-0.

PORTABLE PUMP-SURPLUS

Fire Chief Kenneth Hochgesang said a portable pump on truck #5, asset #100467, was replaced last year and is no longer usable. He asked to remove this item from the asset list. Hochgesang said before destroying, he could take the pump apart and use it for training and show students how it works.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch'

Schitter to remove the portable pump from the asset list and use it for training and then junk it after it is no longer usable. Motion carried 2-0.

TRUCK #5

Fire Chief Kenneth Hochgesang reported that fire truck #5 needed to have parts on the engine computer replaced for approximately \$2,600.00 plus labor. He said after Ruxer did the installation, they drove the truck about 100 miles and it appears to be working well.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the purchase of the computer for fire truck #5 for \$2,600.00 plus labor. Motion carried 2-0.

FIREFIGHTERS

Fire Chief Kenneth Hochgesang reported that firefighter Mike Shaw came back January 8 and returned to firefighter duty.

Hochgesang also said two, twenty-year veteran firefighters, Ed Schmitt and Tom Eckert, said they will leave the department in the second quarter of 2009 and requested not to be put on the rotating schedule.

2008 FIRE DEPARTMENT REPORT

Fire Chief Kenneth Hochgesang displayed reports containing information regarding a total of 305 incidents in 2008.

Mayor Schmitt said the fire, police, and EMS personnel performed admirably at the recent fire at Indiana Furniture. The training paid off and they are to be commended. Schmitt said he is thankful there were no serious injuries.

POLICE DEPARTMENT REPORTS

Police Chief Douglas Tarvin reported that in reference to the Indiana Furniture fire the police and auxiliary provided security through the weekend.

Chief Tarvin presented to the board for their review the following reports:

Calls for Service in 2008.

2008 Traffic Safety Auxiliary Activity Report

December 2008 Police Department Activity report

Mayor Schmitt said the traffic safety auxiliary officers provide a tremendous service to the community and its citizens and are very dedicated individuals.

K-9 COMPENSATION AGREEMENT

Police Chief Douglas Tarvin presented a K-9 Compensation Agreement for six months with Officer Mike Stallman. Tarvin said the main change reflects a twelve hour shift instead of an eight hour shift.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept and agree to the K-9 Compensation Agreement effective January 1, 2009 until June 30, 2009. Motion carried 2-0.

POLICE CHIEF CONFERENCE

Police Chief Douglas Tarvin asked permission to attend the Indiana Association of Chiefs of Police Winter Conference in Indianapolis on January 28, 29, 30, 2009. He stated he would return to work on the 30th because a number of officers are at training.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to attend the Indiana Association of Chiefs of Police Winter Conference. Motion carried 2-0.

DUBOIS COUNTY SUBSTANCE ABUSE COUNCIL CONTRACT

Police Chief Douglas Tarvin said there is a Dubois County Substance Abuse Council meeting today. They have been storing records in an unheated storage unit. Tarvin said if the Board allows, he would like to let them use two locked file cabinets at the police station to store their files.

City Attorney Sandra Hemmerlein reviewed the content of the proposed lease agreement and said the agreement is for one month at a time.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into a contract with the Dubois County Substance Abuse Council through the Jasper Police Department for the storage of records. Motion carried 2-0.

TRAIN DEPOT and RIVER WALK REPORT

Lois Kuntz, Administrator Assistant, presented to the board a report that contained the usage of the Train Depot and River Walk for 2008.

2009 DUBOIS COUNTY AREA DEVELOPMENT CORP AGREEMENT

City Attorney Sandra Hemmerlein presented a 2009 agreement between the City of Jasper and the Dubois County Area Development Corporation. The agreement is the same as last year and the amount is not to exceed \$49,419.65.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into an agreement for 2009 with the Dubois County Area Development Corporation. Motion carried 2-0.

ROJAC BARN PROPERTY

Mayor Schmitt said officials have talked with ROJAC about the barn property and feel it is the right time for the City to take it over, therefore, ROJAC is donating the property to the City. ROJAC has presented a quit claim deed for .51 acres in the McCrillus First Addition. Mayor Schmitt said it always was intended that the City take over the barn.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the barn property of approximately .51 acres at Anderson and 4th Streets. Motion passed 2-0.

CLAIMS. Claims against the City from December 5, 2008 to January 8, 2009 were presented and examined by the board. Those claims found to be just, due, and owing were approved 2-0 upon **motion** by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt.

REMEMBRANCE. Mayor Schmitt said it is a sad day for the City with the passing of Lloyd Martin. There is the utmost respect for Martin and his service to the City of Jasper. He served

on several Boards and treated everyone fairly. Schmitt asked everyone to remember Lloyd whose funeral is today.

ADJOURNMENT. There being no further business to come before the board, a **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to adjourn the meeting. The motion carried 2-0 and the meeting adjourned at 9:23 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 27th day of January, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary